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# AMERICA'S<sup>9</sup> BEST DEFENSE

*Proposed Program  
for the United States*

190

BY  
WALTER W. DAVIS

It is the duty of every citizen of a Democracy to endeavor to discover the best policy for the Nation.

This duty performed, coupled with Universal Military Training so directed as to put an end to war, is the best defense a country can have.

*Single Copies, 5 cents; \$4.00 per Hundred*

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1916

*IN THIS PAMPHLET I HAVE BROUGHT TOGETHER TWO SHORT PAPERS DEALING WITH AMERICA'S BEST DEFENSE, IN VIEW OF THE INTERNATIONAL COMPLICATIONS WITH WHICH OUR GOVERNMENT IS BESET. I HAVE TRIED TO SET FORTH A NATIONAL POLICY ON WHICH ALL AMERICANS, WITHOUT REGARD TO POLITICAL OR OTHER AFFILIATIONS, CAN UNITE TO DISCUSS THE ISSUES CALMLY AND WITH DUE REGARD TO PRECEDENT. THE PLAN OFFERS A POLICY TO MEET THE INTERNATIONAL QUESTIONS THAT ARE ARISING.*

*I HAVE TRIED ALSO TO SUGGEST BROADER AND MORE USEFUL LINES UPON WHICH THE FABRIC OF INTERNATIONAL RELATIONSHIPS CAN BE WOVEN IN TIMES OF PEACE.*

*THIS MAY SEEM AMBITIOUS, BUT IT IS NOT MORE THAN ALL CITIZENS SHOULD ATTEMPT IF DEMOCRACIES ARE TO ENDURE.*

*AN EXPRESSION OF YOUR OPINION ON THE IDEAS HEREIN SET FORTH WOULD BE GREATLY APPRECIATED.*

*WALTER W. DAVIS,  
1328 Broadway, New York City.*

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## SUGGESTED PROGRAM FOR THE UNITED STATES

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If the United States is to be drawn into the War, let it be in  
conjunction with the following propositions:

**I. The United States should Create the Issue:  
and not permit a foreign power to choose the issue.**

**II. The United States should choose the time.**

**III. The United States should so conduct its dip-  
lomatic moves as to give to the world a sense of our  
earnestness and firmness, backed by a united Cabinet  
and country.**

The only manner in which these principles can be carried out  
is by the adoption of a constructive plan or policy toward the whole  
world, and for the benefit of the whole world, like the abolition of  
slavery, or American Independence. Such an issue we would make;  
and such an issue we would fight for, if necessary, in our own good  
time. Without such an issue, the United States may be, indeed is  
being, drawn into the existing War. The conflict so far bears no  
promise of going to other than to the mightiest in armament and  
the mightiest in endurance; after which the old process of outbuild-  
ing the old and inventing new armaments is to be repeated. In such  
a contest the United States will take no part, voluntarily; and the  
only way to prevent being drawn in is by adopting a constructive  
policy of its own, which will for the world end or limit all such  
war and for which alone it will fight.

Thus, if the United States is to enter either side of a world  
war, it will not be in a controversy over a question of fact. It will  
not be over a question of International Law whose very wisdom is  
reasonably in dispute and which we ourselves may desire changed  
after the War. It will not be for conquest nor for a fruitless or  
selfish victory. The victory must be for Mankind. The general  
disposition of the fruits of victory and the terms of peace must first

be understood, and they must be worth the cost. Thus, if we enter the contest on the side of the Allies, and if the Allies win all the waterways surrounding Europe, we must know what the disposition of such waterways is to be; not for the material aggrandizement of the United States, but for the good of the Human Race. We must know whether victory is to be followed by a premeditated design to extend the armaments of the world—increasing the size of guns, the power of explosives, the size of dreadnoughts, the craftiness and treachery of espionage, and the extension of submarine and aerial warfare.

We must know whether the educational and inventive genius of the world is monopolized to extend these things or to be used to limit and end them.

Such a constructive policy as that herein proposed need not ignore or evade a single question that is now presented affecting the welfare of our citizens. *We would repudiate the violation of International Law from the invasion of Belgium to the sinking of the Lusitania and the attack on the Sussex.* But we would go further than merely asking apology and reparation for individual incidents of that character. We would demand a guaranty from the victor in this War that the very means or tools of such warfare be forever abolished. We would recognize that the building and the use to the extreme limit of the submarine, of the siege gun, of the aerial war craft, of the spy system, is on principle in harmony with the building of the superdreadnought, and is the logical outcome thereof. If the rights of neutrals and non-combatants have been violated in the use of the newer and more refined and deadly modes of warfare, nevertheless the extent to which International Law has heretofore gone in protecting non-combatants has been to require that the non-combatant shall be protected to the maximum degree consistent with the use of the engine in question. Whereas, as has been pointed out by President Wilson in the case of the submarine, the United States is ready to demand that this protection shall now extend to the *prohibition* of its use.

And if it can be shown that the use of the submarine is inconsistent with the interests and safety of neutrals and non-combatants, so can it be shown that all deadly engines of warfare—indeed warfare itself—is likewise inconsistent.\*

\* Prof. John Bassett Moore, the author of "Moore's International Law," has stated that "there is no rule for the rights of belligerents which, if carried to its ultimate logical consequences, will not wipe out the rights of neutrals."

The United States, therefore, having refrained from any interference in a quarrel not its own, now that it is threatened with being drawn into the conflict, it should not be deemed officious if we should inquire as to the attitude of the belligerents on the questions herein propounded. The United States, therefore, should first inquire of England (since England is the nation with the largest armament on whose side we threaten to become engaged) what her attitude is to be at the end of this War, on the several questions involved in a consideration of the problem of Universal Peace. This inquiry would be made simultaneously with and without affecting our pending conversations with Germany and England on special incidents.

Our attitude, e.g., on the *Lusitania*, would remain unchanged. But although our final decision of friendship toward Germany would be determined largely by Germany's replies, our decision as to engaging in the War should Germany prove unfriendly would depend largely on England's reply to our inquiry. The note to England would, at all events, cover the following points: \*

1. Limitation of armament for each nation to its own uses for police purposes.
2. Neutrality of all extra-territorial waterways.
3. Right of any people unified or segregated by race, custom or language to determine its allegiance.
4. The organization of a tribunal under the control of the nations of the world, for the settlement of international disputes.
5. Provision for an army and navy under the control of such a tribunal for the enforcement of its decrees.
6. Amendment of International Law in harmony with the foregoing.
7. Organization of an International Senate in which all nations would be represented for the enactment and amendment of International Law.

This note would ask for a reply "*in principle*" on the points touched upon.

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\* These are illustrative only of a principle—the object being to draw from England her views leading to the most practical method for preventing war. One of the best plans for this purpose is probably that outlined by "The League to Enforce Peace."

If the reply of England were prompt, courteous and friendly, and calculated to promote the success of the plan, the United States would make like suggestions to Germany. If the answer of Germany were equally prompt and encouraging it cannot be denied that further negotiations would undoubtedly soon overwhelm the more petty controversies now so seriously threatening the peace of this country.

If the answer of England, however, were dilatory, evasive or unfavorable, or seemed to indicate the impracticability of the plan at this time, then the policy of the United States would be to caution our people against traveling under the English flag and, possibly, to limit commerce with England.

Then would the Administration, as well as the entire American people, support such a policy. That is to say, the United States would refuse to be drawn into the War as an ally of England, and were Germany sufficiently tractable there would be a possibility that much aid and comfort might be given Germany by the United States.

On the other hand, if a favorable reply should come from England, and an unfavorable reply from Germany, and the latter continued her present policy of encroachment on the rights of neutral nations, there is a strong probability that the United States would be drawn into the conflict on the side of England. This would be, however, only after defining the issue, and the time for action, and with the approval of a thoroughly united country, acting with an earnestness and firmness unequaled in any past conflict.

## Character of the Proposed Note to England

THE proposed note to England would appeal to her in the most friendly and cordial way, in full confidence that she would see our point of view and be in full accord with our proposals.

We would not suggest an immediate peace for the existing War. On the contrary, we would recognize the great wrong perpetrated against the whole world by the invasion of Belgium and point out that a peace without fully rectifying that wrong is not to be desired.

We would reaffirm our desire to be and remain neutral, and to observe International Law, and assist in preserving the rights of

neutrals; but we would carefully compile and chronicle the leading instances in this war where International Law has been gradually encroached upon by both sides, until the rights of neutrals have been infringed to such an extent as not only to seriously injure their welfare but to threaten their peace. Thus we are required for our own welfare, as well as for the future peace of the entire world, to make certain suggestions leading, as we hope, with the aid of England, to the elimination of such warfare in the future. This brings us to the necessity of pointing out certain conditions preceding this War, and growing out of it, all of which are apparent to every candid observer.

We would show that although the existing War may not seem to present a well defined issue equally recognized by both sides; and although there may be a claim by the aggressor that it entered the War purely on the defensive, it must be taken as self-evident that the real aggressor is, after all, engaged in this War either through fear of the power of its opponent or for territorial or other material advantage. Believing, therefore, that such a war must grow out of one or the other of these two things, and knowing that England, as she has more than once intimated, is not in this contest for personal relative gain, we, also, will refrain from complaining of the violation of the rights of our nation, or of our citizens, and along with England herself will we base our suggestions on the common good of all men, whether they be English, German, American, or of other nationality. Consistently with this determination it will be our duty to concern ourselves with the Welfare of Men, wherever we may find them. Whether they be in the trenches on the battlefield; on the high seas; or in the home. Whether they be of one or another of the belligerent nations, or of a neutral nation. It was in this concern for mankind that our nation was created; but such is, nevertheless, the *just* concern of all nations. Heretofore it has been considered the province of each nation to safeguard only the interests of its own citizens. But modern science and invention have so annihilated distance and time, and have so interwoven the relations of mankind, that more and more has the injury to any one nation become the concern of all nations. We have vivid examples of the truth of this in both Great Britain and the United States: the one nation with its dominions extending into all regions, and over all sorts and conditions of men; and the other with a population one-third foreign stock—a stock about equally divided between the warring sides in Europe.

We would point out the startling growth in aerial, submarine and other kinds of implements of modern warfare, and the utter inadequacy of International Law as it now exists to define appropriate limits to their use. The result is a growing disrespect for International Law, and an attempt to force on the world rules more consistent with the use of the modern war implements.

We would point out the two principal methods by which International Law is, in ordinary course, to be amended to meet the changing conditions of the world; viz.:

By Force of Arms; and

By Treaty.

Amendment of International Law "By Force of Arms" usually means the extension of the right to arm. Amendment of International Law "By Treaty" usually tends to the limitation of the right to use "Force of Arms."

We would point out two alternative natural effects of the present War:

1. To extend and permit the use of the submarine, of aerial craft, of poisonous gases, of high explosives, of crafty and treacherous espionage, not only in their present deadly forms, but in the more refined and terrible growths which the genius of science can perfect;

2. To limit not only these newer products of genius, but also all kinds of armament.

We would point out the necessity for the civilized nations of the world uniting in seeing to it that of these two alternatives, the latter be the one chosen, unless we are willing to invite a practical destruction of the best of the race.\*

We would emphasize the necessity of fully recognizing these two alternatives, and we would present the point of view of Germany, who, however wrongfully she may have entered into the present War, has nevertheless perfected the newer forms of armament to an extraordinary degree, only to surpass the armaments of the types which have heretofore existed. Her reasoning was that the armament of England compelled her to arm, and that (barring ordinary policing purposes) there is no virtue in any nation's having

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\* Sir Edward Grey, the British Secretary of State for Foreign Affairs, was quoted in the *New York Times* of May 14, 1916, as follows: "If the world cannot organize against war, if war must go on, then all the nations can protect themselves henceforth only by using whatever destructive agencies they can invent, till the resources and inventions of science end by destroying the humanity they were meant to preserve."

an armament unless that nation has the largest. From her point of view, she is playing the rôle of Petruchio to England's Katherine in the world-drama. And we would point out the inconsistency of asking Germany to disarm, unless the other nations did likewise.

If it be contended that the character of the submarine, for example, is incompatible with giving legal notice and opportunity for safety to non-combatants, we must not forget that the rule requiring giving notice is based on the theory that notice may be given without danger or detriment to the attacking party. In other words, the attacking ship, whether submarine or dreadnought, is relieved of the obligation to give notice if the captive is about to resist, or attempts to flee, or in any other manner jeopardizes the safety or success of the attack. Now the universal use of the wireless by all large craft, whether neutral or belligerent, whether armed or unarmed, at once renders the giving of notice dangerous to all attacking ships, whether submarine or other, unless the attacking party so dominates the arena that an alarm cannot possibly endanger it. For this very reason, the writer, who was in London at the time, pointed out to his companions as early as August, 1914, the probable extreme danger at that time in taking passage on an English ship for America. And the danger was not based on an expectation that there would be submarine interference or that a German man-of-war would seek to attack, but on the probability that an alarm from our wireless would so endanger some German surface craft that it might feel constrained to attack in self-defense and without notice. Thus it is that the rules which Germany crudely attempted to comply with by the expedient of a war zone and a prior sailing notice are to be revised. Indeed, in the use of aerial craft and submarine mines, neither side appears at present to be restrained by any rules of International Law. The necessity of the revision of International Law undoubtedly is conceded by all. The question is whether this revision shall be in the interest of extending the rights of neutrals, or whether it shall be in the interest of extending the rights of belligerents. It is not a question of the mere form of the armament.

We would, therefore, point out that the time has arrived when all nations must arm—each endeavoring to outdo every other; or all nations must agree to limit their armaments. If England were willing to agree in principle to our suggestions, we would stand ready to use our good offices with the other nations to induce them to join in the plan; and if we were unsuccessful, and are ourselves ever

to be compelled to arm, we can conceive of no cause more worthy to champion than a just plan for disarmament.\*

We would present our contentions to England as a friend to a friend, but with the same vigor with which our protest was presented to Germany against the sinking of the *Lusitania*, ever recognizing the fact that it is *armament* which is the foundation cause of the present trouble. The fact that Germany has grossly violated International Law, we would not permit to divert us from this view, bearing in mind that the proper punishment should be visited by an International Court and not by a single nation. And, if necessary, we would point out that the world has now reached a state where it is unsafe and wrong for the family of nations to allow to a single nation the power to visit even a just punishment on another nation.

We would, in conclusion, so frankly present our contentions as to require definite and prompt answer, that we might know what our policy is to be as to extending our own armament. As we have said to Germany that we cannot alter our attitude because of anything England may have done, neither would we permit the issue with England to be affected by the invasion of Belgium, the sinking of the *Lusitania*, the attacks on other liners, or any other wrong on the part of Germany. And although we may be convinced that England's attitude toward her own colonies is no longer what it once was toward the United States, but protective and benevolent, yet we will not forget that even England, though possibly more tactful than Germany has been in the present War, is inclined to be, if she so wills, indifferent to the interests of neutrals and non-combatants. And we have only to look at the proceedings of the Second Hague Conference, as late as 1907, to see that England voted against Germany and the United States upon the American proposal of Immunity of Private Property at Sea. (See Article by Professor Kuno Francke, *Economic League Quarterly* for May, 1915.)

It is claimed, however, that England's attitude toward the smaller nations of the world has changed. If so, the public sympathy which she enjoys is justified and she will encourage and help our proposals. If not, we should revise our opinion of her, as we have within a year revised our opinion of Germany. But we can rely on England's far-sighted tact to see to it that she does not lose

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\* "I can imagine the American people arming universally to put an end to war. I cannot imagine them doing it to defend themselves against a possible and remote danger."—Prof. John Dewey, of Columbia, in *The New Republic*, April 29, 1916.

our sympathy and good opinion in this struggle; especially in dealing with a question involving nothing commercial or of peculiar material individual interest to the United States. For with the loss of American good opinion on the issues proposed England would lose also that of every other neutral nation, as well as that of her colonies. Whereas, if the issue were presented with the proper skill, and England accorded with the view of humanity, she would win certainly the unanimous good-will of America and the neutral world; and also that usually described as the "German-American" sentiment, as well as the favorable opinion of those international fraternities that, as Mr. August Schvan has pointed out, see that their own interests bind them together more strongly than does any flag.

Someone has said that a proposal of disarmament is too "Utopian," and another that it would be regarded as a "joke" by the belligerent nations. If so, let us add to the joke (for the nation that regards it as a joke)—the loss of American Public Sentiment—with the consequent loss of prestige—and the throwing of our military and economic power and resources against her in peace and in war. The proposal of disarmament is no more a joke than the statement of Mr. Asquith, that England is fighting "to fulfill a solemn international obligation—to vindicate the principle that small nationalities are not to be crushed in defiance of international good faith." It is no more Utopian than were the protestations in favor of humanity on the part of each of the several belligerents when they entered this war. In this proposition we are only taking these nations at their word. The plan for disarmament would be a joke were it not backed by the determination to compel disarmament by force, which Roosevelt styles the "Posse Comitatus of the Nations." No originality is claimed for the plan—no idea that the United States is better than any other nation is involved—only that the plan is just, and possesses the proper "sanction" which Professor Wilson of Harvard says is necessary to give to world peace effectiveness and permanency.





